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3
4 BEFORE THE CITY COUNCIL
5 OF THE CITY OF LAS VEGAS, NEVADA

6 * * *

7 IN THE MATTER OF:

8 DEPARTMENT OF FINANCE AND
9 BUSINESS SERVICES on behalf of the
CITY OF LAS VEGAS, NEVADA,

10 Petitioner,

11 vs.

12 SCOTCH 80's LIMITED d/b/a
13 SQUIGGY'S,

14 Respondent.

**COMPLAINT FOR
DISCIPLINARY ACTION**

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16 The DEPARTMENT OF FINANCE AND BUSINESS SERVICES, on behalf of the
17 CITY OF LAS VEGAS, NEVADA (Department), Petitioner, brings this Complaint for
18 Disciplinary Action against SCOTCH 80's LIMITED d/b/a SQUIGGY'S, 530 South Martin
19 Luther King Boulevard, Las Vegas, Clark County, Nevada, Respondent, and states:

20 Respondent SCOTCH 80's LIMITED d/b/a SQUIGGY'S holds Tavern License No.
21 L16-00128-4-012111, Gaming License No. G01-02175-4-000314, Retail Tobacco License No.
22 C05-02395-E-012111, and Miscellaneous License No. M06-00667-2-012111.

23 **SUMMARY OF ALLEGATIONS**

24 SQUIGGY'S is owned by Danny Piper and Joseph Bunch. It is a public nuisance
25 conducted in an unlawful, illegal and impermissible manner. In the last year multiple
26 **murders** with use of a deadly weapon, **batteries** with use of a deadly weapon, and **robberies**
27 with use of a deadly weapon have occurred at SQUIGGY'S. There were **260 calls for service**

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1 to the Las Vegas Metropolitan Police Department in the fifteen months between January 1,
2 2005, and March 31, 2006.

3 REGULATORY POWERS DECLARED

4 GAMING ACTIVITIES

5 The Council hereby finds that gaming activities seriously
6 affect the well-being of the City and its residents; that it is
7 necessary to regulate such industry carefully in order to ensure
8 that persons of honesty and integrity are operating such
businesses and that they are operated in a manner responsible to
the public and in the best interests of the gaming industry. Such
business must therefor comply with Chapter 6.06.

9 LVMC § 6.40.010.

10 LIQUOR CONTROL

11 The City Council declares that this Liquor Control
12 Chapter is an exercise of the regulatory powers delegated to the
13 City Council pursuant to the City Charter and NRS 268.090,
inter alia. The regulations contained in this Chapter involve, to
14 the highest degree, the economic, social, physical and moral
well-being of the residents and taxpayers of the City. The sale or
15 other disposition of alcoholic beverages is not a matter of right
but of privilege, which would otherwise be unlawful if it were
not exercised pursuant to a license. This privilege may be denied,
16 revoked, conditioned, suspended or subjected to any other
disciplinary action by the City in the exercise of its police powers
17 for the protection of the safety, welfare, health, peace and morals
of the residents and taxpayers thereof. Businesses engaged in the
18 sale or other disposition of alcoholic beverages must therefore
comply with LVMC Chapter 6.06. Nothing in this Chapter shall
19 be construed to confer any legitimate claim of entitlement to any
benefit which might otherwise devolve upon any licensee or any
20 person approved for suitability.

21 LVMC § 6.50.010.

22 SQUIGGY'S IS A PUBLIC NUISANCE

23 The Las Vegas Metropolitan Police Department has investigated the following crimes
24 committed at or near SQUIGGY'S.

25 June 6, 2005, a Murder With Use of a Deadly Weapon was investigated. The
26 investigation revealed that two men were talking near a car parked outside SQUIGGY'S. One
27 of the men drew a gun and chased the other one to the entrance of the bar. He shot him twice.
28 The victim fell through the doorway of SQUIGGY'S and died.

1 **January 6, 2006**, police investigated a **Battery With Use of a Deadly Weapon and**
2 **Attempt Murder With Use of a Deadly Weapon at SQUIGGY'S**. The investigation revealed
3 that a woman was in the bar with her friends. A fight involving multiple patrons began, the
4 woman was shoved out of the bar, and **stabbed in the chest**. During this investigation the
5 victim also told the police that on January 13, 2006, another patron at SQUIGGY'S had hit her
6 over the head with a bottle.

7 **January 9, 2006**, police investigated a **Robbery and Grand Larceny Auto** at
8 SQUIGGY'S. The investigation revealed that a man approached a woman entering her car,
9 punched her and grabbed her keys. When she attempted to resist, he stated that he would
10 shoot her. He then drove away.

11 **February 6, 2006**, police investigated a **Robbery** at SQUIGGY'S. The investigation
12 revealed that when a man exited the bar he was followed by two other men. One man struck
13 him in the back of the head, knocking him to the ground. Both men then stripped him of
14 jewelry and went through his pockets. They then stole his car and drove away.

15 **February 17, 2006**, police investigated an **Attempt Murder With Use of a Deadly**
16 **Weapon at SQUIGGY'S**. The investigation revealed that a man inside the bar was lured
17 outside. He was then **shot**.

18 **February 26, 2006**, police investigated a **Battery With Use of a Deadly Weapon** at
19 SQUIGGY'S. The investigation revealed that one patron of the bar **struck** another one **in the**
20 **face with a bottle**. The victim fell to the floor unconscious, and was **stomped** by his
21 assailant.

22 **March 1, 2006**, police investigated a **Robbery With Use of a Deadly Weapon and**
23 **Attempt Murder With Use of a Deadly Weapon at SQUIGGY'S**. The investigation revealed
24 that a patron at SQUIGGY'S pulled a gun and demanded the proceeds of the cash register
25 from the bartender. During the course of the robbery the bartender attempted to hit the man
26 with a baseball bat. The robber fled, and as he was exiting SQUIGGY'S, encountered a
27 patron. The man **shot the patron in the throat**.

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1 **March 19, 2006**, police investigated a **Robbery With Use of a Deadly Weapon** at
2 SQUIGGY'S. The investigation revealed that two men approached a man walking in the alley
3 behind the bar. One man pulled a handgun on the victim, while his compatriot took his
4 wallet.

5 **April 3, 2006**, police investigated a **Battery With Use of a Deadly Weapon** and
6 **Attempt Murder With Use of a Deadly Weapon** at SQUIGGY'S. The investigation revealed
7 that four men attacked a man outside the bar. They punched him, and when he fell to the
8 ground kicked him. Then they **shot him multiple times**.

9 **CALLS FOR SERVICE**

10 Between January 1, 2005, and March 31, 2006, there were 260 calls for service to
11 SQUIGGY'S. Thirty-seven (37) of these calls for service involved **violent crimes**. During
12 the same time period Frankie's Bar had 30 calls for service, of which three involved violent
13 crimes. The Ice House during the same period, had 86 calls for service, of which 14 involved
14 violent crimes.

15 **SUBSTANTIVE LAW**

16 LVMC § 6.02.330(H) provides:

17 The licensee may be subject to disciplinary action by the
18 City Council for good cause, which may, without limitation,
include:

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20 (H) The actual business activity constitutes a **public or**
21 **private nuisance**, or has been or is being conducted in an
unlawful, illegal or impermissible manner. [Emphasis added.]

22 LVMC § 6.02.350 provides:

23 A licensee under this Chapter shall be subject to
24 **disciplinary action** not only for acts or omissions done by such
licensee but also for acts and omissions done by the principals,
25 managers, agents, representatives, servants or employees of such
licensee. [Emphasis added.]

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1 EVIDENCE

2 LVMC § 6.88.090 provides:

3 (A) The hearing need not be conducted according to
4 technical rules relating to evidence and witnesses. Any
relevant evidence may be admitted.

5 (B) The respondent shall have the right to call and
6 examine witnesses on his own behalf, cross-examine opposing
witnesses, introduce exhibits and evidence relevant to the issues
7 of the case, and offer rebuttal evidence.

8 (C) The respondent may be called and examined by the
City.

9 (D) The Clerk shall have the power to issue subpoenas for
10 witnesses to appear to give testimony. [Emphasis added.]

11 PENALTY

12 LVMC § 6.02.360 provides:

13 Upon a showing of good cause and in the discretion of the
14 City Council, disciplinary action against a holder may take the
15 form of cancellation, **revocation**, refusal to renew, **suspension**,
16 imposition of conditions or **restrictions** or civil **fine** in an amount
17 not to exceed one thousand dollars for each day that the violation
18 which forms the subject matter of the complaint that recommends
19 such disciplinary action is demonstrated to have been in
20 existence, or any combination of such actions, as the particular
situation may require. The Council may also impose against the
licensee the actual costs incurred, and a reasonable amount for
attorney's fees, resulting from the imposition of disciplinary
action. The disciplinary actions available in this Section shall be
in addition to, and not exclusive of, any other civil or criminal
remedy which otherwise might be available. [Emphasis added.]

21 ALLEGATION

22 It is alleged that between January 1, 2005, and present, SCOTCH 80's LIMITED d/b/a
23 SQUIGGY'S operated a business which constituted a public nuisance, and has been conducted
24 in an unlawful, illegal and impermissible manner, to wit: creating and permitting an
25 environment in which violence occurred, to include Battery, Battery With Use of a Deadly
26 Weapon, Attempt Murder, Attempt Murder With Use of a Deadly Weapon, Robbery, Robbery
27 With Use of a Deadly Weapon, and Murder With Use of a Deadly Weapon, all of which
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1 required a disproportionate use of Las Vegas Metropolitan Police Department resources in
2 violation of the Las Vegas Municipal Code and the Nevada Revised Statutes.

3 WHEREFORE, the Petitioner respectfully requests the City Council to:


4 A. Approve the Complaint for Disciplinary Action and order a disciplinary hearing
5 at which the Respondent shall appear and show cause why the licenses that are the subject of
6 this Complaint should not be suspended or revoked, or other disciplinary action taken; or

7 B. Grant such other and further relief as the Council deems appropriate.

8 DATED this _____ day of June, 2006.


9 RESPECTFULLY SUBMITTED:

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11 By:


12 MARK R. VINCENT, Director
13 Finance and Business Services

13 BRADFORD R. JERBIC
14 City Attorney

15 By:


16 WILLIAM P. HENRY
17 Senior Litigation Counsel
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21 Attorneys for CITY OF LAS VEGAS
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